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5 IN THE UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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8 IN RE: TFT-LCD (FLAT PANEL) ANTITRUST  
9 LITIGATION

No. M 07-1827 SI

MDL No. 1827

10 This Order Relates to:

11 All Indirect-Purchaser Plaintiff Class  
12 Actions

**ORDER VACATING HEARING ON  
MOTION TO MODIFY THE IPP CLASS  
FOR INJUNCTIVE RELIEF**

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14 On March 28, 2010, this Court certified a nationwide injunctive class of indirect purchasers of  
15 “TFT-LCD panels incorporated in televisions, monitors and/or notebook computers.” *See* Order  
16 Granting Indirect Purchaser Plaintiffs’ Motion for Class Certification; Denying Defendants’ Motion to  
17 Strike Modified Class Definitions; Granting Motions to Strike Untimely Declarations, Master Docket  
18 No. 1642 (March 28, 2010). The states of Illinois and Washington have now filed a motion to modify  
19 this class. Both states seek to have their residents excluded from the class, claiming that “the IPPs are  
20 inadequate representatives for the States’ indirect purchasers.” Motion at 5.

21 The Court finds the states’ motion premature. The motion relies in large part on the content of  
22 settlement agreements IPPs have reached with a number of defendants. IPPs, however, have yet to  
23 present these settlement agreements to the Court.<sup>1</sup>

24 Rather than speculate about the final contents of the IPP settlements, the Court thinks it more  
25 appropriate to address the states’ motion at the same time it reviews the IPPs’ settlement agreements.

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27 <sup>1</sup>In conjunction with the withdrawal of their motion for preliminary approval of the Epson  
28 settlement, IPPs filed a purportedly final release provision with the Court. Given the number of changes  
to the settlements that have occurred in recent months, however, the Court feels it prudent to wait until  
it is in possession of the finalized settlement agreements before addressing this issue.

1 Accordingly, the Court VACATES the hearing currently scheduled for December 9, 2011. The Court  
2 will reschedule the hearing on the states' motion for the same day as the eventual hearing on IPPs  
3 motion for preliminary settlement approval.

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5 **IT IS SO ORDERED.**

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7 Dated: December 7, 2011



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SUSAN ILLSTON  
United States District Judge